

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:10-cv-00310-SEB-TAB**

ELI LILLY AND COMPANY et al v. SYNTTHON  
PHARMACEUTICALS, INC.  
Assigned to: Judge Sarah Evans Barker  
Referred to: Magistrate Judge Tim A. Baker  
Cause: 35:271 Patent Infringement

Date Filed: 03/15/2010  
Date Terminated: 09/22/2010  
Jury Demand: None  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**ELI LILLY AND COMPANY**

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V.

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Date Filed	#	Docket Text
03/15/2010	I 1	COMPLAINT against SYNTTHON PHARMACEUTICALS, INC., filed by ELI LILLY AND COMPANY, ICOS CORPORATION. (Attachments: # <u>1</u> Exhibit A– '975 Patent, # <u>2</u> Exhibit B–'958 Patent)(JD) (Entered: 03/16/2010)
03/15/2010	I 2	CIVIL COVER SHEET, filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (JD) (Entered: 03/16/2010)
03/15/2010	I 3	RECEIPT #IP017208 in the amount of \$ 350.00 (JD) (Entered: 03/16/2010)
03/15/2010	I 4	Summons Issued as to SYNTTHON PHARMACEUTICALS, INC. (JD) (Entered: 03/16/2010)
03/15/2010	I 5	NOTICE of Appearance by Jan M. Carroll on behalf of Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (JD) (Entered: 03/16/2010)
03/15/2010	I 6	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JD) (Entered: 03/16/2010)
03/15/2010	I 7	Corporate Disclosure Statement by ELI LILLY AND COMPANY, ICOS CORPORATION identifying Other Affiliate ELI LILLY AND COMPANY for ICOS CORPORATION. (JD) (Entered: 03/16/2010)

03/16/2010	<u>I</u> 8	NOTICE of Initial Filing in lawsuit sent to Director of U.S. Patent and Trademark Office. (Attachments: # <u>1</u> Complaint, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (MAC) (Entered: 03/16/2010)
03/22/2010	<u>I</u> 9	MOTION for Attorney(s) Kevin Flowers, Matt Nielsen, Mark Izraelewicz and Cullen Pendleton to Appear pro hac vice., filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Attachments: # <u>1</u> Text of Proposed Order)(Carroll, Jan) (Entered: 03/22/2010)
03/23/2010	<u>I</u> 10	CERTIFICATE OF SERVICE by ELI LILLY AND COMPANY, ICOS CORPORATION re <u>9</u> MOTION for Attorney(s) Kevin Flowers, Matt Nielsen, Mark Izraelewicz and Cullen Pendleton to Appear pro hac vice. <i>corrected certificate of service</i> (Carroll, Jan) (Entered: 03/23/2010)
03/23/2010	<u>I</u> 11	Submission of <i>order with corrected distribution list</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Carroll, Jan) (Entered: 03/23/2010)
03/23/2010	<u>I</u> 12	RECEIPT #IP017308 in the amount of \$ 120.00 for Pro Hac Fees – Izraelewicz, Pendleton, Flowers and Nielsen. (MAC) (Entered: 03/23/2010)
03/24/2010	<u>I</u> 13	ORDER granting <u>9</u> Motion to Appear pro hac vice. Attorney Kevin Flowers,Matthew Calvin Nielsen,Mark Izraelewicz,Cullen Pendleton for ELI LILLY AND COMPANY, Kevin Flowers,Matthew Calvin Nielsen,Mark Izraelewicz,Cullen Pendleton for ICOS CORPORATION added. Signed by Judge Sarah Evans Barker on 3/24/2010. (MAC) (Entered: 03/24/2010)
03/31/2010	<u>I</u> 14	RETURN of Service by CMRRR, filed by ELI LILLY AND COMPANY, ICOS CORPORATION. SYNTHON PHARMACEUTICALS, INC. served on 3/26/2010. (Carroll, Jan) (Entered: 03/31/2010)
04/19/2010	<u>I</u> 15	NOTICE of Appearance by John D. Nell on behalf of Defendant SYNTHON PHARMACEUTICALS, INC.. (Nell, John) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 16	NOTICE of Appearance by Maureen E. Ward on behalf of Defendant SYNTHON PHARMACEUTICALS, INC.. (Ward, Maureen) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 17	MOTION for Attorney(s) E. Anthony Figg to Appear pro hac vice., filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Ward, Maureen) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 18	MOTION for Attorney(s) C. Nichole Gifford to Appear pro hac vice., filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Ward, Maureen) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 19	Corporate Disclosure Statement by SYNTHON PHARMACEUTICALS, INC.. (Ward, Maureen) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 20	MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(b)(2), Fed.R.Civ.P. 12(b)(3), or, in the Alternative, to Transfer</i> , filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Ward, Maureen) (Entered: 04/19/2010)
04/19/2010	<u>I</u> 21	BRIEF/MEMORANDUM in Support re <u>20</u> MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(b)(2), Fed.R.Civ.P. 12(b)(3), or, in the Alternative, to Transfer</i> , filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Exhibit A to Memo in Support of MTD, # <u>2</u> Exhibit B to Memo in Support of MTD)(Ward, Maureen) (Entered: 04/19/2010)
04/20/2010	<u>I</u> 22	RECEIPT #IP017700 in the amount of \$ 60.00 for Pro Hac Fees, Figg and Gifford. (MAC) (Entered: 04/21/2010)
04/21/2010	<u>I</u> 23	ORDER granting <u>17</u> Motion to Appear pro hac vice. Attorney Anthony Figg for SYNTHON PHARMACEUTICALS, INC. added cm. Signed by Judge Sarah Evans Barker on 4/21/2010. (MAC) (Entered: 04/21/2010)

04/21/2010	<u>24</u>	ORDER granting <u>18</u> Motion to Appear pro hac vice. Attorney C Nichole Gifford for SYNTHON PHARMACEUTICALS, INC. added cm. Signed by Judge Sarah Evans Barker on 4/21/2010. (MAC) (Entered: 04/21/2010)
05/06/2010	<u>25</u>	MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> LR 37.1 Statement)(Izraelewicz, Mark) (Entered: 05/06/2010)
05/06/2010	<u>26</u>	BRIEF/MEMORANDUM in Support re <u>25</u> MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Izraelewicz, Mark) (Entered: 05/06/2010)
05/06/2010	<u>27</u>	AFFIDAVIT in Support of Motion re <u>25</u> MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P)(Izraelewicz, Mark) (Entered: 05/06/2010)
05/11/2010	<u>28</u>	ENTRY regarding exhibits not properly described as required by paragraph 13 of the Civil Electronic Case Filing Administrative Policies and Procedures Manual. re <u>27</u> DECLARATION ELI LILLY AND COMPANY, ICOS CORPORATION. Signed by Judge Sarah Evans Barker on 5/11/2010.(MAC) (Entered: 05/11/2010)
05/12/2010	<u>29</u>	NOTICE of filing <i>Index of Exhibits to the Declaration of Mark H. Izraelewicz in Support of Lilly's Memorandum of Law in Support of its Motion for Jurisdictional Discovery (D.I. 27)</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION, re <u>25</u> MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss</i> . (Izraelewicz, Mark) (Entered: 05/12/2010)
05/21/2010	<u>30</u>	MOTION for Attorney(s) Minaksi Bhatt to Appear pro hac vice., filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order Order Granting Motion to Appear Pro Hac Vice of Minaksi Bhatt)(Ward, Maureen) (Entered: 05/21/2010)
05/21/2010	<u>31</u>	RECEIPT #IP018279 in the amount of \$ 30.00 – Pro Hac Fee – Bhatt (MAC) Modified on 5/24/2010 (MAC). (Entered: 05/24/2010)
05/24/2010	<u>32</u>	ORDER granting <u>30</u> Motion to Appear pro hac vice. Attorney Minaksi Bhatt for SYNTHON PHARMACEUTICALS, INC. added cm. Signed by Judge Sarah Evans Barker on 5/24/2010. (MAC) (Entered: 05/24/2010)
05/24/2010	<u>33</u>	RESPONSE in Opposition re <u>25</u> MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss</i> , filed by Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Exhibit to Synthon's Response)(Ward, Maureen) (Entered: 05/24/2010)
06/03/2010	<u>34</u>	REPLY in Support of Motion re <u>25</u> MOTION for <i>Jurisdictional Discovery and for an Enlargement of Time to Respond to Motion to Dismiss or Transfer</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION. (Carroll, Jan) (Entered: 06/03/2010)
06/09/2010	<u>35</u>	ORDER granting IN PART Lilly's <u>25</u> Motion for an Enlargement of Time to Respond to Synthon's Motion to Dismiss or Transfer. Lilly shall have to and including 60 days from the date of this Order to conduct discovery regarding Synthon's and its agents' contacts with Indiana The time for Lilly to respond to Synthon's Motion to Dismiss or Transfer (Dkt. No. 20) is extended to and including 14 days after the close of jurisdictional discovery (see Order for additional details). Signed by Judge Jane Magnus-Stinson on 6/9/2010. (SWM) (Entered: 06/10/2010)

06/14/2010	<u>1</u> <u>36</u>	Joint MOTION for Extension of Time to <i>File a Case Management Plan</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION, Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Izraelewicz, Mark) (Entered: 06/14/2010)
06/15/2010	<u>1</u> <u>37</u>	ORDER granting Parties <u>36</u> Motion for Extension of Time to File Case Management Plan to 14 days after the Court rules on Synthon's Motion to Dismiss, or in the Alternative, Transfer. Signed by Judge Sarah Evans Barker on 6/15/2010. (MAC) (Entered: 06/15/2010)
06/16/2010	<u>1</u> <u>38</u>	Reassignment of Case to Magistrate Judge Tim A. Baker. Judge Jane Magnus-Stinson no longer assigned to the case. Please include the new case number (1:10-cv-00310-SEB-TAB), which includes the initials of the newly assigned judge, on all future filings in this matter. (TMA) (Entered: 06/16/2010)
07/21/2010	<u>1</u> <u>39</u>	Joint MOTION for Protective Order ( <i>Stipulated Protective Order</i> ), filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION, Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order Stipulated Protective Order, # <u>2</u> Exhibit Exhibit A – Confidentiality Undertaking to Stipulated Protective Order)(Ward, Maureen) (Entered: 07/21/2010)
07/28/2010	<u>1</u> <u>40</u>	STIPULATED PROTECTIVE ORDER <u>39</u> APPROVED. Signed by Magistrate Judge Tim A. Baker on 7/28/2010.(SWM) (Entered: 07/29/2010)
08/06/2010	<u>1</u> <u>41</u>	Joint MOTION for Extension of Time to August 24, 2010 to <i>Complete Jurisdictional Discovery</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION, Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Izraelewicz, Mark) (Entered: 08/06/2010)
08/11/2010	<u>1</u> <u>42</u>	ORDER granting parties' <u>41</u> Joint Motion to extend the jurisdictional discovery period. The jurisdictional discovery period shall close on August 24, 2010, Lilly's response to Synthon's Motion to Dismiss, or in the alternative, transfer (Dkt. No. 20) shall be filed no later than September 7, 2010, and Synthon's reply thereto shall be filed no later than September 14, 2010. Signed by Magistrate Judge Tim A. Baker on 8/11/2010. (SWM) (Entered: 08/11/2010)
09/21/2010	<u>1</u> <u>43</u>	Joint MOTION to Transfer Case to the <i>Eastern District of North Carolina</i> , filed by Plaintiffs ELI LILLY AND COMPANY, ICOS CORPORATION, Defendant SYNTHON PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Carroll, Jan) (Entered: 09/21/2010)
09/22/2010	<u>1</u> <u>44</u>	CLOSED TRANSFER to the Eastern District of North Carolina. Signed by Judge Sarah Evans Barker on 9/22/2010.(MAC) (Entered: 09/23/2010)

Case #: 1:10-cv-00310-SEB-TAB